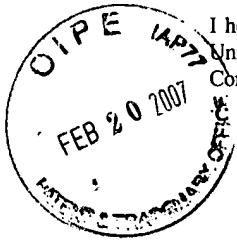
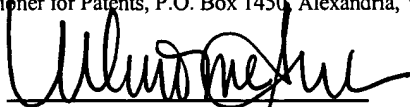


CERTIFICATE OF MAILING (37 CFR 1.8a)



I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Winsome St. Rose

2-16-07  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:	)
Martin Dugas, et al.l.,	) EXAMINER: N/A
SERIAL NO.: 10/575,704	) ART UNIT: N/A
PCT FILING DATE: NOVEMBER 4, 2004	) Confirmation No. 2362
FOR: <u>METHOD FOR DISTINGUISHING</u> <u>AML SUBTYPES WITH DIFFERENT</u> <u>GENE DOSAGES</u>	) DOCKET NO. 22337-US

STATEMENT UNDER 37 C.F.R. §1.821

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

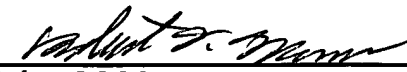
Sir:

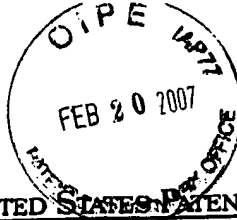
I hereby certify under (37 CFR §1.821(f) and (§1.825(a -g)) that the contents of the Sequence Listing information recorded in the computer readable form (2 CD-Rom) is identical to those disclosed in the application as filed and no new matter is included.

Date: 2/16/07

Respectfully Submitted,

Correspondence Address  
Roche Molecular Systems, Inc  
1145 Atlantic Avenue  
Alameda, CA 94501  
Tel: 510-814-2800  
Fax: 510-814-2973

  
Robert W. Mann  
Reg. No. 48,555



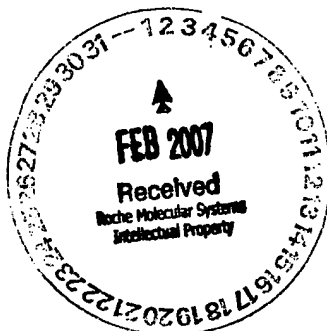
UNITED STATES PATENT AND TRADEMARK OFFICE

22337-US

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. ✓ 10/575,704	FIRST NAMED APPLICANT Martin Dugas	ATTY. DOCKET NO.
---	---------------------------------------	------------------

22829  
ROCHE MOLECULAR SYSTEMS INC  
PATENT LAW DEPARTMENT  
1145 ATLANTIC AVENUE  
ALAMEDA, CA 94501



INTERNATIONAL APPLICATION NO. PCT/EP04/12469	
I.A. FILING DATE ✓ 11/04/2004	PRIORITY DATE 11/04/2003

CONFIRMATION NO. 2362  
371 FORMALITIES LETTER  
\*OC000000022251253\*

Date Mailed: 01/31/2007

## NOTIFICATION OF DEFECTIVE RESPONSE

COPY

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 04/13/2006
- Copy of the International Search Report filed on 04/13/2006
- Preliminary Amendments filed on 04/13/2006
- Information Disclosure Statements filed on 09/18/2006
- Biochemical Sequence Diskette filed on 12/13/2006
- Oath or Declaration filed on 12/13/2006
- Request for Immediate Examination filed on 04/13/2006
- U.S. Basic National Fees filed on 04/13/2006
- Substitute Specification filed on 04/13/2006
- Priority Documents filed on 04/13/2006
- Specification filed on 04/13/2006
- Claims filed on 04/13/2006
- Abstracts filed on 04/13/2006

ROCHE MOLECULAR SYSTEMS	
File No.	22337-US
Date/By	2-5-07
Attorney	MAN / Burk
Action	Defective Response
Due Date	
Final Date	2-28-07

Applicant's response filed 12/13/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 06/09/2006 have not been completed.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825

(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sporal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/575,704	PCT/EP04/12469	

FORM PCT/DO/EO/916 (371 Formalities Notice)



File

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Martin Dugas, et al.l.,

SERIAL NO.: 10/575,704

PCT FILING DATE: NOVEMBER 4, 2004

FOR: METHOD FOR DISTINGUISHING  
AML SUBTYPES WITH DIFFERENT GENE  
DOSAGES

)

) EXAMINER: N/A

) ART UNIT: N/A

) Confirmation No. 2362

) DOCKET NO. 22337-US


Certification of Mailing Under 37 CFR § 1.10


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that the following correspondences:

- ☒ Amendment
- ☒ Statement Under 37 C.F.R. § 1.821-1.825
- ☒ CFR of the Sequence Listing (2 CD-Roms).
- ☒ Copy of Action mailed January 31, 2007.
- ☒ Return receipt postcard

are being deposited with the United States Postal Service in an envelope on the date shown below with sufficient postage as first class mail in an envelope addressed to the, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Winsome St Rose

  
Date

Roche Molecular Systems, Inc.  
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Fax: (510) 814-2973